

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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JOHN HANCOCK LIFE INSURANCE  
COMPANY, JOHN HANCOCK  
VARIABLE LIFE INSURANCE  
COMPANY, and INVESTORS  
PARTNER LIFE INSURANCE  
COMPANY,

Plaintiffs,

v.

ABBOTT LABORATORIES,

Defendant.  
\_\_\_\_\_

Civil Action No. 03 CV 12501DPW

Hon. Judge Douglas P. Woodlock

**ASSENTED TO MOTION FOR THREE DAY  
EXTENSION OF SUMMARY JUDGMENT DEADLINES**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, Abbott Laboratories (“Abbott”) respectfully moves this Court to extend the deadlines for filing cross-motions for summary judgment and responses thereto by three (3) business days because of a recent death requiring the attention of lead counsel for Abbott.

In support of this assented-to Motion, Abbott states as follows:

1. This past Friday evening, September 17, there was a death of someone close to Lawrence Desideri, lead counsel for Abbott. As a result of this event, Mr. Desideri will be indisposed until Wednesday or Thursday of this week.

2. Pursuant to the Court's Order of August 4, 2004, cross-motions for summary judgment are presently due this Friday, September 24, 2004. Oppositions are presently due two weeks later, on October 8, 2004.

3. The short, three business-day extension requested by this Motion will not change the October 12, 2004 due date for the parties' Status Report or the scheduled October 14, 2004 scheduling/status conference, and will not otherwise result in any delay in resolution of this matter.

4. Counsel for John Hancock Life Insurance Company, John Hancock Variable Life Insurance Company, and Investors Partner Life Insurance Company ("John Hancock") has assented to the relief requested in this Motion. Neither party will be prejudiced by the allowance of this Motion.

5. The Court previously granted a one week extension in this matter and stated that no further extensions would be allowed. *See* Electronic Order of August 4, 2004. Given the extraordinary circumstances necessitating this Motion, the fact that the status report and status/scheduling conference dates will not be changed, and the fact that John Hancock assents to the relief requested, Abbott requests that the Court allow this small exception to the Court's earlier prohibition on additional extensions.

WHEREFORE, Abbott respectfully requests that the Court enter an order extending the summary judgment deadlines by three business days as follows:

Cross-Motions for Summary Judgment Due:	September 29, 2004
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Response to Cross-Motions for Summary Judgment Due:	October 13, 2004
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Respectfully submitted,

ABBOTT LABORATORIES

By: /s/ Michael S. D'Orsi  
One Of Its Attorneys

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**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)**

The undersigned hereby certifies he has conferred with counsel for John Hancock Life Insurance Company, John Hancock Variable Life Insurance Company, and Investors Partner Life Insurance Company ("John Hancock") and John Hancock has assented to the relief requested in this Motion.

/s/Michael S. D'Orsi  
Michael S. D'Orsi

Dated: September 21, 2004